

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOHN GASS, :
Petitioner : CIVIL ACTION NO. 3:14-1738
v. : (MANNION, D.J.)
 : (SCHWAB, M.J.)
RICHARD C. SMITH, :
Respondent :

ORDER

In light of the memorandum issued in the above-captioned matter this same day, **IT IS HEREBY ORDERED THAT:**

- (1) the report and recommendation of Judge Schwab, (**Doc. 6**), is **ADOPTED IN ITS ENTIRETY**;
- (2) the petitioner's petition for writ of habeas corpus is **DISMISSED**, without prejudice, for failure of the petitioner to establish exhaustion of state remedies; and
- (3) the Clerk of Court is directed to **MARK THIS CASE CLOSED**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: August 27, 2015

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